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Attorney Docket No. GENO200.2/CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICANT: | MESSIER |) | |
| SERIAL NO.: | 10/098,600 |) | EXAMINER: HORLICK, K. R. |
| FILED: | MARCH 14, 2002 |) | ART UNIT: 1637 |
| TITLE: | METHODS TO IDENTIFY POLYNUCLEOTIDE AND POLYPEPTIDE SEQUENCES WHICH MAY BE ASSOCIATED WITH PHYSIOLOGICAL AND MEDICAL CONDITIONS |) | CONF. NO.: 9206 |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Restriction Requirement under 35 U.S.C. § 121

An election requirement was made to pending claims 1-26. The claims were placed into four groups:

Group I; claims 1-8, drawn to a method of identifying a non-human primate polynucleotide;

Group II, claims 9-16, drawn to a method for identifying an agent that may modulate a primate's p44 function:

Group III, claim 17, drawn to a method for identifying an agent that modulates expression of a human's p44 polynucleotide;

Group IV, claim 18, drawn to a method of targeting a small molecule to human p44 exon 2;

Group V, claim 19, drawn to a human p44 polynucleotide;

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 15, 2004

Signature: Tasha L. Pierce

Name: Tasha L. Pierce

Group VI, claim 20, drawn to a human p44 polypeptide;

Group VII, claim 21, drawn to chimpanzee p44 polynucleotide;

Group VIII, claim 22, drawn to a chimpanzee p44 polypeptide;

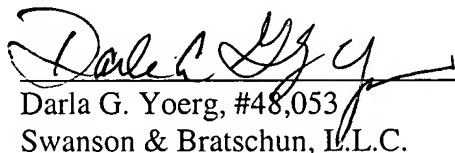
Group IX, claims 23 and 24, drawn to methods of correlating or identifying evolutionarily significant nucleotide changes using a suitable model system relating to HCV resistance; and

Group X, claims 25-42, drawn to methods of identifying polynucleotides that may be associated with decreased resistance to development of a disease in humans.

Applicant hereby elects to prosecute the claims of **Group I**, claims 1-8, without traverse.

Respectfully submitted,

Date: October 15, 2004



Darla G. Yoerg, #48,053
Swanson & Bratschun, L.L.C.

1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129
Telephone: (303) 268-0066
Facsimile: (303) 268-0065

cc: G. Orndorff

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